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Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DANIEL WALTERS,

Plaintiff,

vs.

DREW ELLIOT MARSHALL, an Individual;  
DOES I through X; and ROE CORPORATIONS  
I through X, inclusive,

Defendants.

CASE NO. 2:21-cv-02014-JCM-VCF

**Stipulation and ~~Proposed~~ Order to Extend  
Discovery**

**(First Request)**

Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case ninety (90) days from the current deadline of May 9, 2022, up to and including August 8, 2022. In addition, the parties request that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as follows:

1. On August 10, 2021, Plaintiff filed his Complaint in the Eighth Judicial District Court, Clark County, Nevada; Case No. A-21-839217-C. Mr. Marshall was served with the Summons and Complaint on October 14, 2021.
2. On November 8, 2021, Defendant timely removed this action to the United States District Court, District of Nevada.
3. On November 8, 2021, Defendant filed his Certificate of Interested Parties.

4. On November 12, 2021, Defendant filed his Answer to Complaint and Jury Demand.
5. On December 2, 2021, Plaintiff filed his Certificate of Interested Parties
6. On December 7, 2021, Defendant filed his Statement Regarding Removal.
7. On December 8, 2021, the parties filed a Joint Status Report Pursuant to the Court's Minute Order Dated November 8, 2021
8. On December 14, 2021, the parties conducted the FRCP 26(f) conference.
9. On December 16, 2021, Plaintiff served his Initial Rule 26(f) Disclosures.
10. On December 30, 2021 Defendant served his Initial Rule 26(f) Disclosures.
11. On November 17, 2021 Defendant served his First Set of Interrogatories and Requests for Production of Documents.
12. On December 20, 2021, Plaintiff answered Defendant's First Set of Interrogatories and Requests for Production of Documents.
13. On January 27, 2022 Defendant served his Second Set of Requests for Production of Documents and Plaintiff's responses are due February 28, 2022.

**Discovery Remaining**

1. The parties will continue participating in written discovery.
2. Defendant will take the deposition of Plaintiff.
3. Plaintiff will take the deposition of Defendant.
4. The parties may take the depositions of any and all other witnesses garnered through discovery.
5. Defendant has subpoenaed records, but still have not received medical, billing and/or diagnostic records from Affinity Surgery Center, All Medical, W. Azzoli, M.D., Concentra, DiMuro Pain Management, Grimes Family Chiropractic, Las Vegas Neurosurgery Institute, Mountain View Hospital, Multus Medical, David Oliveri, M.D., Bernard Ong, M.D., Pueblo Medical Imaging, Radiology Specialists and Valley Anesthesiology.

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### Why Remaining Discovery Has Not Been Completed

1. With the current COVID-19 situation, delays have occurred with certain of Plaintiff's healthcare providers in not timely responding to subpoenas for medical records.

Scheduled Event	Current Deadline	<del>Proposed</del> Deadline
Initial Expert Disclosures	March 9, 2022	June 7, 2022
Rebuttal Expert Disclosures	April 8, 2022	July 7, 2022
Discovery Cut-Off	May 9, 2022	August 8, 2022
Final Date for Dispositive Motions	June 8, 2022	September 6, 2022
Joint Proposed Pre-Trial Order	July 8, 2022 or 30 days after resolution of dispositive motions	October 6, 2022 or 30 days after resolution of dispositive motions

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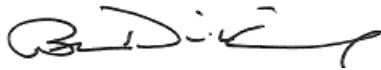
1 The parties respectfully request that this Court extend the discovery period by ninety (90)  
2 days from the current deadline of May 9, 2022, up to and including August 8, 2022, and the other  
3 dates as outlined in accordance with the table above.

4 DATED this 8th day of February, 2022.

DATED this 8<sup>th</sup> day of February, 2022.

5 STEPHENSON & DICKINSON, P.C.

MOSS BERG INJURY LAWYERS

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7 

8 By: \_\_\_\_\_  
9 BRUCE SCOTT DICKINSON, ESQ.  
10 Nevada Bar No. 002297  
11 2820 West Charleston Boulevard, Suite B-17  
12 Las Vegas, Nevada 89102  
13 Attorneys for Defendants

By: //Marcus A. Berg//  
MARCUS A. BERG, ESQ.  
Nevada State Bar No. 009760  
4101 Meadows Lane, Ste. #110  
Las Vegas, Nevada 89107  
Attorneys for Plaintiff

14 **Order**

15 **IT IS SO ORDERED.**

16 Dated this 8th day of February 2022.

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19 **United States Magistrate Judge**

**From:** [Tonya Baltazar](#)  
**To:** [Krisanne Steele-Fetcho](#); [John Funk](#)  
**Cc:** [Bruce Dickinson](#); [Marcus Berg](#)  
**Subject:** RE: Walters v. Marshall  
**Date:** Tuesday, February 8, 2022 10:27:36 AM

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Marcus said you can e-sign for him.

Thanks

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**From:** Krisanne Steele-Fetcho <ksf@sdlawoffice.net>  
**Sent:** Tuesday, February 8, 2022 10:25 AM  
**To:** John Funk <John@mossberglv.com>  
**Cc:** Tonya Baltazar <Tonya@mossberglv.com>; Bruce Dickinson <bdickinson@sdlawoffice.net>  
**Subject:** Walters v. Marshall

Good morning,

Attached please find a Stipulation and Proposed Order to Extend Discovery (First Request). Please review and advise if we have your permission to affix your e-signature for filing. **The due date for filing is 2/16/22.**

Thank you,

*Krisanne Steele-Fetcho*

Paralegal  
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